

ENTERED

December 23, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LaTORRENCE TORRELL NEWMAN, §
§
Plaintiff, §
§
vs. § CIVIL ACTION NO. H-19-352
§
OFFICER MARFO, *et al.*, §
§
§
Defendants. §

ORDER

State inmate LaTorrence Torrell Newman sued several officials of the Texas Department of Criminal Justice under 42 U.S.C. § 1983, alleging violations of his civil rights. The court dismissed all but one of the defendants, and the case remains pending solely as to Lieutenant Reid. (Docket Entry Nos. 51, 88, 89, 99). The court then appointed counsel to represent Newman in the proceedings against Lieutenant Reid. (Docket Entry No. 104).

Newman has now filed a handwritten “Request to Overturn Disciplinary Civil Cases.” (Docket Entry No. 113). Appointed counsel did not sign or adopt the motion, and it is not clear that appointed counsel is aware that the motion has been filed.

A criminal defendant has no constitutional right to be represented “partly by counsel and partly by himself.” *Neal v. Texas*, 870 F.2d 312, 315-16 (5th Cir. 1989) (citing *United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978)). As long as Newman is represented by appointed counsel, he may not file motions and pleadings with the court on his own behalf.

Newman's motion to overturn his disciplinary cases, (Docket Entry No. 113), is denied without prejudice to it being refiled through appointed counsel. Newman is advised that future pleadings filed on his own behalf while he is represented by appointed counsel will be stricken.

SIGNED on December 22, 2021, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge